



COSTA MESA SANITARY DISTRICT MINUTES OF BOARD OF DIRECTORS REGULAR MEETING FEBRUARY 10, 2005

CALL TO ORDER

The Board of Directors of the Costa Mesa Sanitary District met in regular session on February 10, 2005, at 6:00 p.m. at 628 W. 19th Street, Costa Mesa.

President Ferryman called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Director Worthington led the Pledge of Allegiance

INVOCATION

Director Woodside gave the invocation.

ROLL CALL

DIRECTORS PRESENT:

James Ferryman, Greg Woodside, Art Perry, Arlene Schafer, Dan Worthington

DIRECTORS ABSENT:

None

STAFF PRESENT:

Robin Hamers, Manager/District Engineer; Alan Burns, Legal Counsel; Tom Fauth, Assistant Manager; Joan Revak, Board Secretary/Program Manager; Wendy Davis, Treasurer; Sherry Kallab, Accountant; Debbie Bjornson, Permit Processing Specialist

OTHERS PRESENT:

None



..... **CONSENT CALENDAR**.....

Director Perry motioned to approve the Consent Calendar as presented. Director Woodside seconded. Motion carried 4-1, with Director Schafer abstaining because she was not in attendance at the January 12, 2005 Regular Meeting.

REPORTS

MINUTE APPROVAL

Minutes of Recycling Committee Meeting, January 10, 2005	The Minutes of the Recycling Committee Meeting of January 10, 2005, were approved as distributed.
Minutes of Regular Meeting, January 12, 2005	The Minutes of the Regular Meeting of January 12, 2005, were approved as distributed.
Minutes of Special Meeting, January 22, 2005	The Minutes of the Special Meeting of January 22, 2005, were approved as distributed.

MANAGER'S REPORTS

Refunds	There were no refunds requested for the month of February 2005.
Occupancy Report and Payment of \$188,804.87 to Costa Mesa Disposal – February 2005	<p>The Trash Occupancy Count documented an increase of 10 units for the occupancy report for solid waste collection as of February 1, 2005. Therefore, the total for February is 21,241.</p> <p>Board directed Staff to prepare a warrant for \$188,804.87 to Costa Mesa Disposal on March 1, 2005, for payment for February trash collection based on the February count of 21,241.</p>
Monthly Spill Report to Regional Water Quality Control Board (RWQCB)	The Monthly Spill Report to the Regional Water Quality Control Board (RWQCB) for January 2005 was accepted as submitted.

ENGINEER'S REPORTS

Project Status Report	The Project Status Report dated February 2005 was accepted as submitted.
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TREASURER'S REPORTS

Financial Report as of December 31, 2004	The Financial Report as of December 31, 2004 was accepted as submitted.
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Treasurer's Reports as of January 31, 2005	The Treasurer's Reports as of January 31, 2005 was received and filed.
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Warrant 2005-08 for January 2005 in the amount of \$541,550.88	Warrant Resolution #CMSD 2005-08 was approved, authorizing the President and Secretary to sign the warrant ratifying payments made by the Treasurer and authorizing the payments as shown to be paid together totaling \$541,550.88.
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Directors Expenses for the Month of January 2005	Director Compensation and Expense Reimbursement for the Month of January 2005 were approved and ratified as follows:
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Director Ferryman: \$680.00
Director Perry: \$1020.00
Director Schafer: \$1,020.00 + 7.50
Director Woodside: \$680.00
Director Worthington: \$ 850.00

..... **END OF CONSENT CALENDAR**

WRITTEN COMMUNICATIONS

Mr. Hamers reported he received a communication from OCTA stating they would still like ideas and comments for transportation planning. Mr. Hamers will provide a response to OCTA.

Mr. Hamers presented a letter from Mr. Robert Socci, Senior Vice President, Voit Commercial Brokerage stating that he had a potential client with interest in purchasing the Costa Mesa Sanitary District headquarters building.

PUBLIC COMMENTS

There were no public comments, no public in attendance.



MANAGER'S REPORTS

STANDARDIZED TRASH CONTAINER PROGRAM REPORTS

Mr. Fauth provided a report on the number of containers distributed to date. Fifty 90-gallon containers were ordered to replenish supplies. Residents are paying a fee of \$25 per container. There are currently 46, 979 containers in use in the District.

Discussion was held regarding the feasibility of charging residents for the actual cost of the containers.

Mr. Fauth reported Mr. Burns has prepared a form to be completed by residents requesting free containers due to either disability or inability to pay.

DISTRICT ORDINANCE ENFORCEMENT OFFICER REPORT

The ordinance enforcement summary report covering the month of January 2005 was presented.

Mr. Shef's summary report contained the following information:

- 20 flyers given to residents and 4 containers oversprayed and ID tagged
- The combination of wind and rain made for many overturned containers.
- Residences with Christmas trees, some with decorations still on them, and many large boxes filled with assorted debris delayed collection by causing drivers to exit the truck and manually collect the assorted debris.

Director Worthington reported he has noticed many containers with the lids left open after pickup. Director Worthington expressed concern regarding odor and fly infestation during the summer months if this condition continues.

Mr. Fauth reported he has already contacted the hauler to express the District's dissatisfaction with the containers being replaced in the street with the lids left open.

Mr. Fauth reported successfully working with Mr. Bruce Hartley and Peter Naghavi to revise the street sweeping schedule to accommodate the trash pickup schedule.

CMSD STRATEGIC PLAN

YEAR 2005 STRATEGIC PLANNING ACTION ITEMS – SPECIAL MEETING JANUARY 22, 2005

Mr. Hamers reported the results of the Strategic Plan have been placed into a report for the Board's approval.

Director Schafer motioned to approve the Strategic Plan. Director Perry seconded. Motion carried 5-0.



9/80 WORK SCHEDULE WITH HEADQUARTERS CLOSED EVERY OTHER FRIDAY

Mr. Fauth presented a report on the 9/80 work schedule.

Director Schafer motioned to approve the 9/80 work schedule. Director Woodside seconded. Motion carried 5-0.

MEMBERSHIP IN LEIBERT CASSIDY WHITMORE CONSORTIUM

Mr. Hamers presented a report on membership with the Leibert Cassidy Whitmore Consortium. Mr. Burns has reviewed and approved the agreement as to form

Director Perry motioned to execute the agreement with the Leibert Cassidy Whitmore Consortium in the amount of \$1,710.00. Director Woodside seconded.

NEW DISTRICT HEADQUARTERS

AUTHORIZATION TO EXPEND ADDITIONAL FUNDS FOR PURCHASE OF SOFTWARE FOR YEARLY TRASH AND SEWER CHARGES

Mr. Hamers requested authorization to expend additional funds for the purchase of software for the yearly trash and sewer charges.

Mr. Hamers reported the agreement with Springbrook was to have contained software with the full range of capabilities for the yearly trash and sewer charges. The software provided is not adequate to perform the necessary functions.

Mr. Fauth reported the agreement with Springbrook was to provide three things:

- 1) develop screens the way the District requested,
- 2) convert all the data from the old system to the new system, and
- 3) have the capability to export the data needed from of the system to the County and, when the County updates the information, import it for a correct database.

Mr. Fauth reported the Springbrook failed to appropriately interpret the District's needs.

Mr. Fauth received a proposal from Sierra and will analyze it.

President Ferryman requested the Board expedite the investigation and software purchase, mandating that the program be turnkey.

President Ferryman directed Staff to express the Board's unhappiness with Springbrook and request consideration.



Mr. Burns suggested the District write a scope of services to convey what the District expects the product to do.

Director Perry motioned to approve the negotiation of a software purchase, not to exceed \$30,000. Director Schafer seconded. Motion carried 5-0.

OPEN HOUSE – THURSDAY, MARCH 31, 2005

Mr. Fauth reported he received a response from his letter to Ms. Lynn Sosa, Department of Motor Vehicles requesting the use of their parking lot for overflow parking for the one-night open house event. Ms. Sosa instructed Mr. Fauth that he needed to obtain a permit from the CHP.

Mr. Fauth attempted to obtain the recommended permit and found a permit would not be necessary, just permission from the supervisor at the DMV and notification of the Costa Mesa Police Department not to ticket vehicles during the event.

The event would have to begin at 5:00 instead of 4:00 to accommodate the DMV operation hours.

SDRMA LOSS PREVENTION SURVEY

Mr. Fauth reported SDRMA visited the new building and made recommendations to secure the facility and bring it up to Title II ADA requirements. Suggested recommendations will be implemented.

RECYCLING REPORTS

WASTE DIVERSION REPORT – JANUARY 2005

Ms. Revak presented the Waste Diversion Reports for January 2005 showing a 49.25% diversion rate. The report was received and filed.

CONTRACT PAYMENT TO CR TRANSFER FOR RECYCLING SERVICES AND DISPOSAL

PAYMENT FOR DECEMBER 2004 SERVICES

Director Perry motioned to ratify contract payment in the amount of \$175,148.12 to CR Transfer for recycling services and disposal for the month of December 2004. Director Schafer seconded. Motion carried 5-0.



PAYMENT FOR JANUARY 2005 SERVICES

Director Woodside motioned to approve contract payment in the amount of \$174,242.50 to CR Transfer for recycling services and disposal for the month of January 2005, subject to verification of the diversion report by Staff. Director Perry seconded. Motion carried 5-0.

2004/2005 ORANGE COUNTY RESIDENTIAL TRASH COLLECTION SURVEY

Ms. Revak distributed an update to the Orange County Residential Trash Collection Survey.

REVISION TO JOB TITLE – ADD “CLERK OF THE DISTRICT” TO BOARD SECRETARY/PROGRAM MANAGER

Mr. Hamers recommended that the job title of “Clerk of the District” be added to the existing “Board Secretary/Program Manager” title for purposes of continuity with existing policies and ordinances.

Director Schafer motioned to revise the job title, adding “Clerk of the District” to Board Secretary/Program Manager. Director Perry seconded. Motion carried 5-0.

RECYCLING COMMITTEE – MONDAY, FEBRUARY 7, 2005 - 9:00 A.M., CMSD BOARDROOM, 628 W. 19TH STREET, COSTA MESA, DIRECTORS WOODSIDE AND FERRYMAN

STRATEGIC PLANNING 2005 – PUBLIC OUTREACH – CLASSROOM RECYCLING PROJECTS

President Ferryman reported the Orange County Sanitation District is developing a program for high school students and will provide additional information to Director Woodside.

Director Woodside reported receiving a letter from Mr. Mark Heiberger, U.C. Master Gardner, thanking Mr. Fauth and Staff for the vermaculture and vermacomposting program presented to students in January.

TELEPHONE BOOK RECYCLING PROGRAM WITH SCHOOLS

The School Telephone Book Recycling Program ran from November 17 through December 29, 2004. A total of 11,092 books (22.18 tons) were collected.

Kline School was the winner in the elementary school category for the sixth year in a row. Costa Mesa High School, 7th and 8th grades won in the middle school category, and Monte Vista won the high school division.



Ms. Revak reported Newport Heights should be added and Page School removed from the awards list.

CHRISTMAS TREE RECYCLING PROGRAM

Ms. Revak reported the total tonnage was 190.55 tons for the Christmas Tree Recycling Program of 2004.

Ms. Revak reported the trees are placed in the greenwaste pile at CR Transfer where they are ground for landfill cover or sent to power plants where they are used to produce energy.

PUBLIC RESTROOMS

Mr. Fauth reported he has been in contact with a representative who would like to review sites within the City appropriate to locate the restrooms.

Director Woodside reported he spoke to the principal at Killybrooke school who was very enthusiastic about the concept.

GOALS FOR 2005-2006

Director Woodside provided a brief report on the goals of the Recycling Committee for 2005-2006.

CITY OF COSTA MESA 3RD ANNUAL EARTH DAY – FAIRVIEW PARK SATURDAY, APRIL 16, 2005, 9:00 A.M. TO 12:00 P.M.

Director Woodside inquired as to whether the Board was interested in participating in the City of Costa Mesa 3rd Annual Earth Day event. The Board decided not to participate in the program this year.

ENGINEER'S REPORTS

WASTE DISCHARGE REQUIREMENTS – (WDR)

GENERAL UPDATE

GREASE CONTROL PROGRAM DEVELOPMENT

PROJECT NO. 174 – AGREEMENT WITH EEC

Mr. Hamers reported a permit has been prepared and, upon approval, inspectors will begin to visit restaurant establishments.



USE OF OCHCA INSPECTORS

Mr. Hamers had no update report.

CONSIDERATION OF CHARGES TO FOOD SERVICE ESTABLISHMENTS

Mr. Hamers had no update report.

COOPERATIVE PROJECTS GRANT APPLICATION TO OCSD

Mr. Hamers reported he had nothing new to report.

COORDINATION MEETING WITH MCWD

Mr. Hamers reported he and Mr. Fauth met with Diana Leach and Bob McVicker and reported they had an excellent meeting where they discussed the possibility of sharing a yard and preparing a joint letter to the City regarding tracking and approving new development projects.

Mr. Hamers expressed his concern regarding notification by the City of Costa Mesa of new building projects. Board directed Mr. Hamers to contact the City Manager, Mr. Allan Roeder, to discuss the issue.

President Ferryman will contact Mr. Allan Mansoor, if necessary.

Mr. Hamers distributed pictures for the Board's perusal.

TREASURER'S REPORTS

BOARD OF DIRECTORS EXPENSE REIMBURSEMENT ORDINANCE

President Ferryman opened discussion regarding mileage reimbursement to Directors.

Discussion was held.

Board directed Staff to research the total spent on mileage during 2004 and bring it back to the March meeting for continued discussion.

Mr. Burns suggested bringing back two versions of the Ordinance to the March meeting and was directed to do so by President Ferryman.



BUDGET ADJUSTMENT REQUEST AND PURCHASE OF CONTAINERS

Ms. Davis reported the budget for trash containers has been expended and requested an additional appropriation of \$40,000 to cover the remainder of the fiscal year. The additional appropriation will provide for the purchase of up to 700 containers (350 each of 60 and 90 gallon containers).

Ms. Davis requested the Board approve a purchase order of \$40,000 to Roto Industries Inc. for the purchase of containers.

Director Perry motioned to approve the budget adjustment of \$40,000 and purchase order of \$40,000 to Roto Industries Inc. Director Woodside seconded. Motion carried 5-0.

2005-2006 BUDGET CALENDAR

Ms. Davis presented the preliminary outline for the fiscal year 2005-06 budget calendar.

INVESTMENT OVERSIGHT COMMITTEE MEETING – FEBRUARY 10, 2005, 5:15 P.M.
(DIRECTORS FERRYMAN AND SCHAFER)

Ms. Davis gave a brief review of the Investment Oversight Committee meeting stating they discussed budget reserves.

ATTORNEY'S REPORTS

CITY/DISTRICT OPERATING AGREEMENT

Mr. Hamers reported the District did not hear back from the City of Costa Mesa by the February 8, 2005 date requested in the Board's letter.

Mr. Hamers will discuss the matter during the meeting with Mr. Allan Roeder. President Ferryman requested to be contacted with an update.

ORDINANCE No. 48 DELEGATING DESIGN APPROVAL AUTHORITY TO THE DISTRICT ENGINEER

Mr. Burns introduced Ordinance No. 48 - AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT DELEGATING DESIGN APPROVAL AUTHORITY TO THE DISTRICT ENGINEER.

Director Woodside motioned to adopt Ordinance No. 48, Delegating Design Approval Authority to the District Engineer. Director Perry seconded. Motion carried 5-0.



ORDINANCE No. 49 REVISING DISTRICT TRASH CONTAINER ORDINANCE

Mr. Burns introduced Ordinance No. 49 - AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT REVISING THE OPERATIONS CODE WITH REGARD TO TRASH CONTAINERS.

Board discussed the fee residents will pay for the use of additional containers. Board made the following modification to the Ordinance:

Residents shall contribute \$25.00 per container for all additional containers requested, except as provided below:

Modified to read:

Residents shall contribute the actual cost paid for the container by the District ~~per container~~ for all additional containers requested, except as provided below:

Director Perry motioned to adopt Ordinance No. 49, Revising the Operations Code With Regard to Trash Containers with the agreed-upon modification of charging the actual cost per container. Director Schafer seconded. Motion carried 5-0.

ORDINANCE No. 50 ESTABLISHING A DESIGNATED PERSON FOR THE PURPOSES OF ADMINISTERING CLAIMS

Mr. Burns introduced Ordinance No. 50 - AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT ESTABLISHING A DESIGNATED PERSON FOR THE PURPOSES OF ADMINISTERING CLAIMS.

Director Woodside motioned to adopt Ordinance No. 50, Establishing a Designated Person for the Purposes of Administering Claims. Director Schafer seconded. Motion carried 5-0.

ORDINANCE No. 51 IMPOSING A PERMIT REQUIREMENT FOR FOOD SERVICE ESTABLISHMENTS PERTAINING TO GREASE CONTROL

Mr. Burns introduced Ordinance No. 51 - AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT IMPOSING A PERMIT REQUIREMENT FOR FOOD SERVICE ESTABLISHMENTS PERTAINING TO GREASE CONTROL.

Director Perry motioned to adopt Ordinance No. 51, Imposing a Permit Requirement for Food Service Establishments Pertaining to Grease Control. Director Worthington seconded. Motion carried 5-0.



Discussion was held regarding the permit.

Director Schafer motioned to approve the permit, with minor changes. Director Woodside seconded. Motion carried 5-0.

LOCAL MEETINGS

ORANGE COUNTY SANITATION DISTRICT (OCSD)

REGULAR MEETING – JANUARY 26, 2005 (DIRECTOR FERRYMAN)

Director Ferryman attended the OCSD meeting and reported the following:

- Authorized one million dollars for SARI line
- New directors to Board

SANTA ANA RIVER FLOOD PROTECTION AGENCY

EXECUTIVE COMMITTEE MEETING – JANUARY 22, 2005 (DIRECTOR PERRY)

Director Perry attended the meeting and reported the following:

- Update on flooding problems at Prado Dam and Santa Ana River
- Update on Prado Dam project

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC)

Director Schafer attended ISDOC meeting and reported the following:

- Organizational structure of California Special District Association
- Reports on LAFCO and CSDA

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

Director Schafer attended LAFCO meeting and reported the following:

- Public hearings
- Budget update
- Director Schafer reported becoming chair of Fiscal Committee for CSDA and elected to the Financial Core as a member.
- Addition of Cemetery and Vector Control to be reviewed
- Director Schafer elected to CSDA executive board as treasurer



Director Perry motioned the need arose to discuss an item after the agenda was prepared and there is a need to take immediate action. Director Schafer was requested to attend a CSDA meeting outside Orange County. Director Woodside seconded. Motion carried 5-0.

Director Schafer discussed her appointment to the Financial Core and that she was asked to attend a meeting in Oxnard.

Director Perry motioned to approve attendance at an out of Orange County meeting by Director Schafer - the Financial Core in Oxnard. Director Woodside seconded. Motion carried 5-0.

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA)

CSDA WORKSHOP, STAYING IN COMPLIANCE, FEBRUARY 4, 2005, PALM SPRINGS (DIRECTORS PERRY AND WORTHINGTON)

Directors Perry and Worthington attended the conference and reported the following:

- California Public Records Act - e-mail records and records shredder
- Conflict of Interest

CSDA GOVERNMENT AFFAIRS DAY – SACRAMENTO – MAY 16-17, 2005

President Ferryman requested interested Directors confirm attendance at the CSDA Government Affairs Day.

Directors Schafer and Worthington expressed interest in attending.

Director Perry motioned to approve Directors Worthington and Schafer to attend the CSDA Government Affairs Day in May 2005. Director Woodside seconded. Motion carried 5-0.

MEETINGS OF: COSTA MESA CITY COUNCIL, OCCOG, WACO, CHAMBER OF COMMERCE

OCCOG

President Ferryman attended and reported the following:

- Receipt of Federal grant for Urban Runoff
- Infill opportunities survey BIA/OCCOG



WACO

Director Schafer attended and reported the following:

- Lake Havasu, Lake Powell, and Lake Mead water levels

Chamber of Commerce

Director Schafer attended and reported the following:

- Chamber is having an event at Baja Fresh on February 22, 2005 where a portion of the proceeds will go to the Costa Mesa Community Foundation
- Updates on CMSD and Open House

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

Directors Perry and Schafer requested the March 10, 2005 meeting be moved due to a conflict in schedule. The March meeting was moved to March 9, 2005 at 6:00 p.m.

ORAL COMMUNICATIONS AND DIRECTOR COMMENTS

No additional comments.

ADJOURNMENT

At 8:46 p.m., President Ferryman adjourned the meeting.

SECRETARY

PRESIDENT